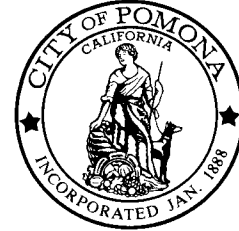


THE CITY OF
POMONA

Office of the City Clerk

MARIE MICHEL MACIAS, CMC
City Clerk

October 24, 2005



Los Angeles County Board of Supervisors
Violet Varona-Lukens, Executive Officer
Room 383 Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, California 90012

RE: Election Services for the City of Pomona Special Municipal Election,
January 10, 2006

Dear Ms. Varona-Lukens,

Enclosed you will find copies of the following documents:

Ordinance No. 4043


Calling and giving notice of the holding of a Special Municipal Election on Tuesday, January 10, 2006 to fill the mayoral vacancy as required by the provisions of the laws of the State of California relating to charter cities.

Resolution No. 2005-103

Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, January 10, 2006.

Your prompt response to this request would be greatly appreciated. Please don't hesitate to contact the City Clerk's Office at (909) 620-2341 should you have any questions regarding this request.

Very truly yours,


Marie Michel Macias, CMC
City Clerk

/mm

Enclosures

cc: Registrar-Recorder - Sylvia Lira, Election Coordination Section Head

RESOLUTION NO. 2005-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION, TO BE HELD ON TUESDAY, JANUARY 10, 2006

WHEREAS, a Special Municipal Election is to be held in the City of Pomona, California, on Tuesday, January 10, 2006; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Pomona;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County election Department to prepare and furnish to the City for use in conducting the election, the computer record of the names and addresses of all eligible registered voters in the City in order that the City may print labels to be attached to self-mailer sample ballot pamphlets, and will also furnish to the City printed indices of the voters to be used by the precinct board at the polling place, and will make available to the City additional election equipment and assistance according to State law.

SECTION 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 3. That the City Clerk is directed to forward, without delay, to the Board of Supervisors and to the County Election Department, each a certified copy of this resolution.

SECTION 4. The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

APPROVED AND ADOPTED THIS 17TH DAY OF OCTOBER, 2005.

RECEIVED
2005 OCT 25 PM 12:10
CITY OF LOS ANGELES
ELECTIONS CO. CLK.
COORDINATION

ATTEST:**CITY OF POMONA**

Marie Michel Macias, CMC
City Clerk

Edward S. Cortez
Mayor

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman
City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 17th day of October, 2005 by the following vote:

AYES: COUNCILMEMBERS: HUNTER, LANTZ, RODRIGUEZ, ROTHMAN, TORRES, ROBLES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Marie Michel Macias, CMC
City Clerk

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REG. - REC. / CO. CLK.
ELECTION COORDINATION

RESOLUTION NO. 2005-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT A SPECIAL MUNICIPAL ELECTION, TO BE HELD ON TUESDAY, JANUARY 10, 2006

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Pomona on Tuesday, January 10, 2006 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk when the candidate's nomination papers are filed. The statement may be withdrawn, but not changed during the period for filing nomination papers and until 6:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY.

- a. Pursuant to the Voting Rights Act, the City may be required to translate candidates statements into the following languages: Spanish, Chinese, Japanesc, Korean, Tagalog, Vietnamese.
- b. The City Clerk shall have all candidate statements translated into the languages specified in (a) above, as required.

SECTION 3. PAYMENT.

- a. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the voters' pamphlet.
- b. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (a) and/or (b) above, pursuant to State and/or Federal law.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidates' statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act, as amended, and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the Voter's pamphlet. In the event the estimated

payment is required, the estimate is only an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. **ADDITIONAL MATERIALS.** No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 5. The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing Council policy on payment for candidates' statements are repealed.

SECTION 7. That this resolution shall apply only to the Special Municipal Election to be held on January 10, 2006 and shall then be repealed.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and it shall thereupon be in full force and effect.

APPROVED AND ADOPTED THIS 17th DAY OF OCTOBER, 2005.

ATTEST:

CITY OF POMONA

Marie Michel Macias, CMC
City Clerk

Marco A. Robles
Vice-Mayor

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman
City Attorney

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REG - REC / CO. CLK
ELECTION COORDINATION

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 17th day of October, 2005 by the following vote:

AYES: COUNCILMEMBERS: HUNTER, LANTZ, RODRIGUEZ, ROTHMAN, TORRES, ROBLES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Marie Michel Macias, CMC
City Clerk

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COUNTY OF LOS ANGELES
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ELECTION COORDINATION

ORDINANCE NO. 4043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, JANUARY 10, 2006 TO FILL THE MAYORAL VACANCY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES.

WHEREAS, a vacancy in the office of Mayor of the City of Pomona was created by the death of Mayor Edward Cortez on September 20, 2005;

WHEREAS, the term of office for which the vacancy occurs ends November 4, 2008;
and

WHEREAS, Pomona City Charter Section 403 (c) provides that a special municipal election shall be called to fill the vacancy, not sooner than 90 days and not later than 120 days following the occurrence of the vacancy.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pomona, California, as follows:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to Charter Cities, there is called and ordered to be held in the City of Pomona, California, on Tuesday, January 10, 2006, a Special Municipal Election for the purpose of the election of a Mayor for the City of Pomona for the term of office in which the vacancy was created by the death of Mayor Edward Cortez, which ends on November 4, 2008.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 5. That pursuant to Elections Code Section 12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$75.00 for each inspector plus \$25.00 for the collection of supplies, and \$55.00 for each clerk for the election.

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CLERK'S OFFICE

for required training. The rental for each of the polling place where a charge is made, shall be the sum of \$25.00 for the election. When required, the compensation of the custodian of a building shall be \$25.00 for the election.

SECTION 6. Said special municipal election shall be held and conducted pursuant to the following timeline:

1. October 17, 2005: Adoption of the Regulations for Candidates Statements.
2. October 18, 2005 through October 31, 2005: City Clerk to Publish Notice of Election – Candidates.
3. October 18, 2005 through November 4, 2005: Filing period for Nomination Papers and Candidate's Statements
4. November 4, 2005: Last Day to File Nomination Papers.
5. November 7, 2005: Secretary of State to Determine Order of Names on Ballot.
6. November 14, 2005: Time to Cancel Election – Insufficient Candidates.

SECTION 7. That in all particulars not recited in this ordinance, the election shall be held and conducted as provided by law for holding special municipal elections.

SECTION 8. Publication of Order of Election. The City Clerk shall certify to the passage of this Ordinance by the City Council, and is hereby directed, upon the passage and adoption of this Ordinance, to cause the same to be posted in three conspicuous places in the City of Pomona and publish an Ordinance Summary once a week for two (2) weeks in a newspaper of general circulation in the City, and to publish a notice of the election set forth in Section 1 hereof one time in a newspaper of general circulation in the City. No other notice of the election hereby called need be given.

SECTION 9. Effective Date. This ordinance, being an ordinance calling, ordering and relating to an election, shall take effect immediately from and after its adoption.

APPROVED AND ADOPTED THIS 17th DAY OF OCTOBER, 2005.

ATTEST:

CITY OF POMONA

Marie Michel Macias, CMC
City Clerk

Marco A. Robles
Vice-Mayor

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman
City Attorney

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STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, MARIE MICHEL MACIAS, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Pomona held on the 17th day of October, 2005 by the following vote:

AYES: COUNCILMEMBERS: HUNTER, LANTZ, RODRIGUEZ, ROTHMAN, TORRES, ROBLES
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Marie Michel Macias, CMC
City Clerk

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